Supreme Court, U.S.
FILED

051474 MAY 8 - 2006

OFFICE OF THE CLERK

No. _____

In The

Supreme Court of the United States

SHAHLA POURGHOLAM,

Petitioner,

v.

ADVANCED TELEMARKETING CORP., d/b/a AEGIS COMMUNICATIONS GROUP INC,

Respondent.

Appendix Two of Two (II of II) in Support of Petition for a Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

PETITION FOR A WRIT OF CERTIORARI

SHAHLA POURGHOLAM
PRO SE PETITIONER
P O BOX 824311
DALLAS, TX 75382
shahlap@msn.com

May 2006

TCHRA AND TITLE VII AS AMENDED

TCHRA and Title VII of Civil Rights Act of 1964, Section 704 (a), 42 U.S. C. § 2000e-3(a), et seq; Section 706(g), 42 U.S.C. § 2000e-5(g); as amended. 42 U.S. C.§ 1001 et, 42 U.S.C §2000e, et seq. 1964, 1983, 1991,42 U.S. C. § 2000e-5(f)(3), Tex. Lab. Code § 21.051 (1), et seq; the common law of the State of Texas, the Constitution of the State of Texas which provides:

An employer is liable for tangible and intangible damages for intentional infliction of emotional distress, discrimination, and disparate treatment based on the age, race, color, national origin, disability, religion, sex, sexual harassment, harassment, and retaliation when the employer fails to investigate and refuses to hire an individual, discharges an individual, endorses hostile work environment, endorses sexually hostile work environment, endorses an environment of discrimination, endorses harassment, endorses increased criticism and reprimands of an individual, suspends an individual, causes demotion in violation of Title VII, denies the opportunity for advancement and promotion in violation of Title VII, constructively discharges an individual, wrongfully terminates an individual, and discriminates against an individual in any manner that affects compensation, terms, conditions and privileges of an individual's employment In addition, the employer is vicariously responsible in quid pro quo sexual harassment cases; in cases that the employer discriminates in obtaining, conducting, processing, and implementing employee applications and background checks, and in cases that

employer fails to take any corrective action, particularly after receiving notice from EEOC.

Administrative Procedure Act

Sec. 702. -Right of Review. A person suffering legal wrong because of an action(s) or adversely affected or aggrieved by an action(s) within the meaning of a relevant statute(s), is entitled to judicial review thereof. An action in a court of the United States seeking relief shall not be dismissed, nor relief therein be denied. The Court cannot deny judicial review or use its power to dismiss any action or deny relief on any appropriate equitable ground; or confers authority to grant relief if any statute that grant consent to suit expressly or impliedly forbids the relief which is sought.

Sec. 703. - Form and Venue of Proceeding. The form of proceeding for judicial review is the special statutory review proceeding relevant to the subject matter in a court specified by the statute or, in the absence or inadequacy thereof, any applicable form of legal action, including actions in civil or criminal proceeding in a court of competent jurisdiction for judicial enforcement.

Sec. 704. - Actions reviewable. A court's decision is subject for judicial review by statute or final action for which there is no other adequate remedy for direct review. A preliminary, procedural, or intermediate ruling is subject to review on the review of the final ruling.

Sec. 706. – Scope of review. To the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms: (I) hold a party responsible for unlawfully withholding evidence; (2) hold unlawful (A) arbitrary, capricious, an abuse of discretion that is not in accordance with law (C) in access of statutory jurisdiction, authority, or limitations, or short of statutory right; (D) without observance of procedure required by law; (E) unsupported by substantial evidence in a case on review; or (F) unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court. In making the foregoing determinations, the court shall review the whole record and due account shall be taken of the rule of prejudicial error.

Texas Code of Criminal Procedure

Relevant Portions of Texas Code of Criminal Procedure § 7 – § 7.01 (a) - Parties to Offenses – A person is criminally responsible as a party to an offense if the offense is committed by his own conduct, by the conduct of another for which he is criminally responsible, or both; § 7.01 (b) – Each Party to an offense may be charged with commission of the offense; § 7.01 (c) – All traditional distinctions between accomplices and principals are abolished by this section and each party to an offense may be charged and convicted without alleging that he acted as a principal or accomplice.

Relevant Portions of Texas Code of Criminal Procedure § 7.02 – Criminal Responsibility for Conduct of Another - § 7.02 (a)(2) – acting with intent to promote or assist the commission of the offense, he solicits, encourages, directs, aids, attempts to aid the other person to commit the offense; § 7.02 (a)(3) – having a legal duty to prevent commission of the offense and citing with intent to promote or assist its commission of the offense; § 7.02 (b) – If, in the attempt to carry out a conspiracy to commit one felony, another felony is committed by one conspirators, all conspirators are guilty of the felony actually committed, though having no intent to commit it, if the offense was committed in the furtherance of the unlawful purpose and was one that should have been anticipated as a result of the carrying out of the conspiracy.

Aegis Supervisor "Darryl Steen's" Terms and Conditions of Registered Sex Offender Parole

a. **As a condition of his parole** Darryl Steen was not to go in, on, or about **where** children commonly gather, **nor shall he supervise** or participate in any program that includes as participants persons who are 17 years of age or younger.
b. Darryl Steen is not to **possess,** or to cause to **be purchased or** subscribed to, any literature, or videotapes **which** depict sexually explicit images, nude or partially nude people**, nor communicate or cause to communicate with a person for sexually explicit purposes through telecommunications or any other electronic means, including 1-900 services.**
c. **Darryl Steen is not to cause to communicate with a** person nude or partially nude **people.**
d. **As a condition of his Parole Darryl Steen is not to own, posses, use, prohibited weapon or illegal weapon nor** attempt or threaten to use any tool, implement **or object to** cause or threaten to cause any bodily injury.
e. **As a condition of his Parole Darryl Steen is not to associate with persons of criminal background.**
f. **Darryl Steen was under mandatory Sex Offender Supervision and had to adhere to** curfew **specified by his supervising parole officer.**
g. **As a condition of his parole Darryl Steen is assigned to the** highest level of supervision caseload.
h. **As a condition of his parole,** Darryl Steen is to be electronically monitored as approved by release's supervising parole officer.
i. **Darryl Steen is not to participate in any volunteer or**

volunteer any services **without prior Board Panel approval. In paragraph 13 of his parole conditions, Darryl Steen as not to operate a motor vehicle unless specifically authorized by his supervising parole officer. Darryl Steen had three cars an economy size metallic blue economy car, a light yellow with wooden pattern brown stripe American made station wagon car, and a white van.**

David Walker Registered Sex Offender Information

David Walker's Picture

Signature: **/s/ David Walker**

Irving Police Officer Mark Talley's Two Counts of Indecency with a Child

CBS 11 – Dallas / Forth Worth

Local News

Mar 23, 2006 2:45 pm US/Central

Irving Police Officer Charged With Indecency With a Child

(CBS 11 News) IRVING An Irving Police officer is facing charges of indecency with a child.

The Irving Police Department's public information officer, David Tull, tells CBS 11 that Officer Mark Talley was arrested Thursday..

Tull said Talley was arrested after a 12-year-old girl said an adult male acquaintance had touched her inappropriately. Police and workers from the Texas Department of Family and Protective Services investigated, and **Talley turned himself in to the Irving City Jail** at 1 p.m. Thursday.

Tull said the Dallas County Grand Jury will decide whether to formally charge Talley. He is currently on administrative leave.

(MMVI, CBS Broadcasting Inc. All Rights Reserved.)

Ms. Pourgholam's Day Two CoutroomTestimony, Vol II, Page 178, Cross Examination by Aegis Counsel

"Q. Okay. Well, turn to page 1529."

"A. Page 1529?"

"Q. Yes, ma'm."

"A. It will be just a moment. Okay. I am there."

"Q. Okay. And this is actually a report by Officer **Mark Tally** where you had complained that your boss had said that he was going to shoot you."

"A. Okay. Actually the original report was on September 27th."

"Q. Okay."

"A. So this was the information report on his part."

"Q. Well, all I am asking you right now, this is actually **a report by Mark Tally about your complaint that your boss said that he was going to shoot you.** Isn't that correct?"

"A. Well, when they first got the report they sent it to an investigator, and then they sent it to Mark Tally. So Yes, in that sequence, yes."

"Q. Okay. In this report, Mr. Tally or Officer Tally says that he actually interviewed the witness who you said was present when Mr. Steen allegedly said that he was going to shoot you, and do you see in here that the witness denied that Mr. Steen said that literally, and that he was only using it as a figure of speech? Do you see that in this record that is marked 1529? And that is all I am asking you, Ms. Pourgholam,yes or no do you see it?"

"A. I need to read it and then I will be happy to answer you."

Irving Police Officer Charged with Use of Excessive Force Against a Hispanic Man During A Traffic Stop

CBS 11 – Dallas/ Forth Worth

Local news

(CBS 11 News) IRVING An Irving Police Officer has been charged with use of excessive force against a Hispanic man during a traffic stop in January 2005. Officer Miller has been with Irving Police for 29 years. The Videotape of the incident is expected to be presented to the Jury.

(MMVI, CBS Broadcasting Inc. All Rights Reserved.)

Police Reports from Aegis Irving, Texas facility that Plaintiff worked during the time that Plaintiff was employed by Aegis as Supervisor and later as CSR

Harassment 01-029105, 01-005360, 00-019931, threatening an employee with a gun pointed at complaint head 01-015033, cursing an employee and trying to run over her with a car 00-031793, beating an employee 01-037635, assaulting an employee 01-005742, spitting on an employee and making obscene gestures 01-012680, hitting an employee 00-037080, slashing an employee's car tires and placing sugar in the tailpipe of an employee's car 00-025015, breaking lock of an employee's car and taking what is in the car 01-009558, cutting an employee's car tires and causing damage to the car 02-005971, threatening and retaliating against an employee 01-023059, many theft reports by employees while these employees were at work and during Defendant's business hours and on its property 00-024866, 00-037193, 00-003801, 00-009259, 01-013720, 01-004216, 01-024308, 01-037578, 00-036180, 00-022394, 02-002951, 02-025453, 02-020168, 02-016632, 00-034915, 00-025322, 02-010859, auto theft 01-001641, theft 00-031786, 00-031335, 01-023037, 00-029536, 00-029030, 00-034356, punching an employee in the face and stomach 02-035034, pulling an employee out of his car and hitting him, 02-014945, robbery 02-032731, damaging an employee's vehicle 02-028385, 02-031816, 02-018889, vandalizing an employee's car 03-002736, 04-016041, theft 02-016632, 02-028367, 02-0296923, 03-001265, theft 02-016632, auto theft 02-018889, vandalizing employees car 03-002736, 02-031816, and illegal drug violations.

Discrimination Lawsuits against Advanced Telemarketing Corp., d/b/a Aegis Communications Group, Inc in Federal District Court for the Northern District of Texas Dallas Division

Civil No. 3:90-CV-00468, Schweitzer v. Advanced Telemarketing Corp, et al.

Civil No. 3:94-CV-01040, Holmes v Advanced Telemarketing, et al.

Civil No. 3:96-CV-01758, Ransom v. Advanced Telemarketing, et al.

Civil No. 3:97-CV-01225, Spencer v. Advanced Telemarketing; Civil No. 3:98-CV-01726, Jackson, et al v. Advanced Telemarketing, et al.

Civil No. 3:98-CV-00363, Abasika v. Advanced Telemarketing.

Civil No. 3:01-CV-01777 Broadus v. Aegis Communications.

Civil No. 3:02-CV-00550, Meerza v. Aegis Communications.

Civil No. 3:04-CV-01561, Lopez v. Aegis Communications Group Inc; also see lawsuit against Aegis Healthcare Systems.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHAHLA POURGHOLAM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 3:01-
	)	CV-2764-H
ADVANCED TELEMARKETING	)	
CORP., d/b/a AEGIS	)	
COMMUNICATIONS GROUP, INC.,)		
	)	
Defendant.	)	

PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL ON APPEAL

TO THE HONORABLE COURT:

Plaintiff Shahla Pourgholam asks the court to grant Plaintiff's Motion to Appoint an Attorney on Appeal for the following reasons:

1. There were important evidences that Plaintiff's attorney did not offer into evidence in the trial of this case. The evidence is material to the case and would likely produce a different result in a new trial or Plaintiff's appeal.

PAGE S-54 WAS NOT PROVIDED BY THE PETITIONER FOR THE
SUPREME COURT AS OF THIS PUBLICATION DATE.

enough time to take further legal actions against Defendant for not complying with court orders and Plaintiff's Motion to compel.

3. Defendant had obtained summary Judgment(s) on Plaintiff's claims without producing important Discovery documents. Due to other court proceedings, Plaintiff's attorney did not have enough time to prepare for Joint Pre Trial Order subjects such as Plaintiff's claims, designation of Expert witnesses, witnesses, Stipulated Facts, Contested issues of law, motions in limine, etc. Plaintiff also did not have an opportunity to verify all Exhibits and the accuracy of them prior to the trial.

4. Plaintiff also requests that a copy of court transcripts be made available to plaintiff.

Thus, Plaintiff's case was dismissed due to error in facts and/or law. Since there is a short time frame to appeal a case, "In the Interest of Justice" Plaintiff asks the court to provide another attorney on appeal in this case.

Respectfully submitted this 25th day of March, 2005.

/s/ Shahla Pourgholam

Shahla Pourgholam
Pro Se Plaintiff
P. O. Box 824311
Dallas, Texas 75382-4311

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the PLAINTIFF'S MOTION FOR APPOINTMENT OF CONSUL ON APPEAL has been served via United States Certified Mail, return receipt requested, postage prepaid to below-listed counsel of record, on the 25th day of March 2005:

Alisa L. Pittman
William A. Pinto, Jr.
Elarbee, Thompson, Sapp & Wilson, L.L.P.
800 International Tower
229 Peachtree Street, N.E.
Atlanta, GA 30303

James C. Orr
Heygood, Orr & Reyes, L.L.P.
909 Lake Carolyn Parkway, 17th fl.
Irving, Texas 75039

/s/ Shahla Pourgholam

Shahla Pourgholam
P O Box 824311
Dallas, Texas 75382
Tel: 972-567-6464

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHAHLA POURGHOLAM,	)	
	)	
Plaintiff,	)	
v.	)	Civil No. 3:01-CV-2764-H
	)	
ADVANCED TELEMARKETING CORP., d/b/a AEGIS COMMUNICATIONS GROUP, INC.,	)	
	)	
Defendant.	)	

NOTICE OF APPEAL

TO THE HONORABLE COURT:

Notice hereby given that Shahla Pourgholam, the Plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the "final Judgment" and "Order" granting dismissal of Plaintiff's Sexual harassment and retaliation claims on March 24, 2005 and each/all Judgment(s) including each/all claims that were dismissed due to granting Summary Judgment(s) signed and filed on June 09, 2004. Plaintiff will file her brief within time frame allowed in FRCP and Local Rules of Civil Procedure.

THIS APPEAL IS FILED AGAINST ADVANCED

TELEMARKETING CORP., d/b/a AEGIS COMMUNICATIONS GROUP INC.

Respectfully submitted,

/s/ Shahla Pourgholam

Shahla Pourgholam
Pro Se Plaintiff
P. O. Box 824311
Dallas, Texas 75382-4311

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Plaintiff's Notice of Appeal has been served via United States Certified Mail, return receipt requested, postage prepaid to below-listed counsel of record, on the 25th day of March 2005:

Alisa L. Pittman
William A. Pinto, Jr.
Elarbee, Thompson, Sapp & Wilson, L.L.P.
800 International Tower
229 Peachtree Street, N.E.
Atlanta, GA 30303

James C. Orr
Heygood, Orr & Reyes, L.L.P.
909 Lake Carolyn Parkway, 17th fl.
Irving, Texas 75039

/s/ Shahla Pourgholam

Shahla Pourgholam
P O Box 824311
Dallas, Texas 75382
Tel: 972-567-6464

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHAHLA POURGHOLAM,	)	
	)	
Plaintiff,	)	
v.	)	Civil No. 3:01-CV-2764-H
	)	
ADVANCED TELEMARKETING CORP., d/b/a AEGIS COMMUNICATIONS GROUP, INC.,)	)	
	)	
Defendant.	)	

PLAINTIFF SHAHLA POURGHOLAM'S FIRST AMENDED NOTICE OF APPEAL

TO THE HONORABLE COURT:

Notice hereby given that Shahla Pourgholam, the Plaintiff in the above named case, hereby submits her First Amended Notice of Appeal to the United States Court of Appeals for the Fifth Circuit for relief from "final Judgment" and "Order" granting dismissal of Plaintiff's sexual harassment and retaliation claims on March 24, 2005; and each/all Judgment(s) including each/all Plaintiff's claims that were dismissed due to granting Summery Judgment(s) signed and filed on June 09, 2004, and to alter and amend each/all previously and concurrently entered interlocutory orders and decisions of the court against Plaintiff. Plaintiff will file her

brief within time frame allowed in FRCP and Local Rules of Civil Procedure.

THIS FIRST AMENEDED NOTICE OF APPEAL IS FILED AGAINST ADVANCED TELEMARKETING CORP., d/b/a AEGIS COMMUNICATIONS GROUP INC.

Respectfully submitted this day of 23rd April, 2005.

/s/ Shahla Pourgholam

Shahla Pourgholam
Pro Se Plaintiff
P. O. Box 824311
Dallas, Texas 75382-4311

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Plaintiff's Notice of Appeal has been served via United States Certified Mail, return receipt requested, postage prepaid to below-listed counsel of record, on the 23rd day of April 2005, address as follows:

Alisa L. Pittman
William A. Pinto, Jr.
Elarbee, Thompson, Sapp & Wilson, L.L.P.
800 International Tower
229 Peachtree Street, N.E.
Atlanta, GA 30303

This 23rd day of April, 2005.

/s/ Shahla Pourgholam

Shahla Pourgholam
P O Box 824311
Dallas, Texas 75382
Tel: 972-567-6464

Request for Records on Appeal

To: Ms. Mary Stewart and/or other USCA Clark of the office for the 5th Circuit

From: Shahla Pourgholam

Date: 03/29/2006

RE: Obtaining certified copies of original ROA for case NO: 05-10502

Dear Madam:

I am writing this letter because for approximately one year I have been trying to obtain the entire original ROA records for the case NO. 05-10502. After the panel had dismissed my case and refused to grant an extension of time to Amend Appellant's Petition for rehearing en banc, I finally have received the complete original ROA records in its entirety. However, the original ROA record that has been sent to me is missing a lot of records for example the exhibits that are in support of the district court record #166, Amended Pretrial Order, Aegis employees report of assaults to Irving Police, ten other Aegis employees laws suits against Aegis

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Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

4. Plaintiff's trial exhibit 27, Aegis Final Assessment.
5. Plaintiff's trial exhibit 28, date February 23rd, 2001. Please certify each page. Two pages total.
6. Plaintiff's trial exhibit #69, just the front page.
7. Defendant's trial exhibit #83, Darryl Steen came on his day off to use Michael Duce's ID to send the email on 09/26/2001, so that "Steen" would not be held responsible for violating his curfew, the time of email is 11:42 PM, the email Identifies at least two calls for 09/26/2001, and four telephone numbers.
8. Aegis EEO Policy for management to treat employees like their son, daughter, spouse, etc, the district court record #107. All three pages including Aegis EEO Policy that complaint can be verbal or in writing; HR director and Center Director have to investigate all sexual harassment reports. Please certify all three pages.
9. Darryl Steen hand written notes on Plaintiff's Termination Review that Plaintiff had reported harassment, document #107 OR Defendant's trial exhibit #18 and #15, "Final" missing signatures.
10. Plaintiff's Record Excerpts in support of Plaintiff's Appellant Brief Tab 4 through Tab 17, all 48 pages, plus the cover page and the table of contents.
11. Plaintiff's trial exhibit #1, hand written notes for 03/05/2001, 05/05/2001, 06/10/2001 (is already certified),

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Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

09/27/2001 the entire document and pages 4, 5, and 11. Also Plaintiff's trial record #43, Plaintiff's hand written statements on 07/11/2000, the entire document.

12. Plaintiff's EEOC file, Plaintiff's trial record #7.

13. Plaintiff's trial record #57, only Page ACG 00302.

14. Plaintiff's Trial exhibits #30 and #31 OR district court record #56, statements about sex were told in the AT&T CS&S and CPP training.

15. Plaintiff's trial exhibit #23, Plaintiff's Supervisor evaluation on 02/07/2000 all four pages.

16. Plaintiff's trial exhibit #55, Plaintiff's supervisor evaluation on 02/07/2000. This document is only one page.

17. Defendant's trial exhibit #97, Plaintiff's time punch on 06/03/2001, Darryl Steen had signed off Plaintiff on Sunday 06/03/2001 at 8:30 Pm and had never returned Plaintiff back the phone.

18. Plaintiff's trial exhibit #56 OR the district court record #107, Plaintiff's monitor call for 06/03/2001, completed by Darryl Steen, 100%.

19. Defendant's Trial record #112, Dr. Michael Tran. Main page, 08/2000, Plaintiff reported Aegis management drug trafficking and hostile work environment, medical record dated "06/05/2007" with wrong company name, and medical record on 07/31/2001.

Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

20. Defendant's trial record #107, Dr Harvey Oshman, Main page and the record that Plaintiff was referred to him through Dr. Carson and Aegis in network insurance doctors.
21. Defendant's trial exhibit #106, Main page and the page that Dr. Carson was paid through Prudential Insurance, Aegis associated insurance company.
22. Defendant's exhibit #116, Los collinas Medical Center, about 5 minutes away from Defendant's Irving, Texas Location where Plaintiff worked. Main page and the page ACG 01337, Plaintiff's report of drug trafficking and report of acts in violation of Title VII at Defendant's Irving, Texas facility had caused Defendant's direct and/or indirect doctor and healthcare workers to "label" Ms. Pourgholam with severe mental illness.
23. Defendant's exhibit #110, North Central Medical Center. Main page, Plaintiff was transferred from Los Collinas Medical Center to North Central Medical Center, so that Aegis Direct and/or indirect insurance doctor Dr. Carson would "label" Plaintiff with various serious mental illnesses. Refused to sign is already certified.
24. Plaintiff's trial exhibit #65. Dr's Carson's note
25. Defendant's trial exhibit #115, Main page, the rape report, the doctor release noting that Plaintiff should call 911 in case of an emergency. The other medical record that Plaintiff was admitted to Psychiatric center because she had

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Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

said that her boss was a registered sex offender in a part of Tab 17 of Plaintiff's record excerpts in support of Plaintiff's Appellant's Brief.

26. Defendant's exhibit #113, Presbyterian hospital of Dallas. Main page and the page that Plaintiff reported white powder in her check medical record dated 11/2001; just this one page and the lab work showing increased WB. Also the page that Plaintiff had reported rash on her neck and threats from Darryl Steen, received medicine for rash on her neck, total of 4 pages for this exhibit.

27. Defendant's exhibit #108, Dr Jodi Stondale, Plaintiff's Expert Witness who quit her private practice to work for Defendant's Direct and/or indirect hospital.

28. Defendant's exhibit #109, Family Place, the shelter that Plaintiff had to go to after Plaintiff's apartment had been broken into on 04/22/2002. Plaintiff was placed in the shelter because of threats from Darryl Steen and sexual harassment at Aegis. The main page the page that Dallas Police had placed Plaintiff in the shelter and the shelter had made an exception to take Plaintiff due to sexual harassment at Aegis.

29. Plaintiff's exhibit #38, as a supervisor Plaintiff had worked with her agents. Plaintiff was also required to present monitors to the agents within 24 hours and obtain agents signatures on each call that affected agent's performance. In addition, Plaintiff was rated by her agent for

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Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

the effectiveness of feedback and coaching that Plaintiff had provided to her agent. Defendant did not require Darryl Steen with same policies toward Plaintiff.

30. Defendant's trial exhibit #39, 40, 41, 140, 141, Defendant had tampered with Darryl Steen and David Walker's records and did not provide Darryl Steen and David Walker's employee application and background check results.

31. Defendant's exhibit #101, Plaintiff's employee application with Defendant.

32. Defendant's exhibit #103 and #146, please certify all pages, Defendant had lied to the court and the jury about Plaintiff's Foley's and Manpower employment records.

33. Additional courtroom transcript page numbers 178, 195,196, 209, 210, 213, 214, 234, 247, 254, 255, 258, 259, 262, 264, 328, 378, 379, 380, 394, 398, 419, 442, 444, 446, 447, 448, 451, 452, 454, 458, 459, 460, 463. Other courtroom transcripts had been already ordered.

34. Plaintiff's courtroom testimony, per document.

35. Joint Exhibit List dated 02/22/2005 the complete list **without the wipeouts**, please certify each/all pages of this document. (The pages of this document have not been certified before the jury trial. Although the title of this document is labeled as "Joint Exhibit List", this document is in violation of the court order because it is not a joint exhibit

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Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

list; it has Plaintiff's exhibit list and Defendant's exhibit list. In addition for the same document there are different exhibit numbers, which can cause confusion as to the facts of this case. For example, Plaintiff's hospital records and Defendant's Declaration in Support of Defendant's Motion for Summary Judgment are marked as the same exhibits. Furthermore, Declaration of David Walker, Ella Dickerson-Own, Frankie Reese, Lisa Lewis, Laveron Crawford, Darryl Steen are not labeled accurately to reflect that these Declarations were given in support of Defendant's First and Second Motions for Summary Judgment).

36. Appellant's Brief, Please certify the entire document.

37. Appellant's Motion for Panel Rehearing en banc and Rehearing en banc, Please provide a copy of the entire document.

38. Appellant's Reply Brief, entire per document.

39. Appellant Motion to extend time to received ROA Records in July 2005 and in 2006.

40. Appellant's Third Motion to Supplement the records on Appeal.

41. Please provide a certified copy of docket sheet in court of appeal.

42. Please provide a certified copy of Appellee's Brief, entire document.

Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

43. Please provide a certified copy of each/all pages of this request to receive certified copies.

In addition, Please verify the following:

a. That beside Ms. Pourgholam, Aegis **did not** offer to the jury **the employee application of any of Aegis employees** and **their background check results**.

b. That Defendant did not offer the **employee files** of Michael Duus, Ella Dickerson-own, Mary Mullen, Joan Rowan, and Johnnie Reagler. Furthermore, Defendant did not offer the evidence of Irving police misconduct and the fact that Officer Mark Talley, the Irving Police officer that had investigated Aegis and Darryl Steen had been charged with two counts of Indecency with a child younger than 14 years of age as well as David Walker's Registered Sex Offender records and other substantial and conclusive evidences such as Aegis employees that were threatened with gun or were assaulted are missing from trial record.

c. That the exhibits and evidences that were presented to the jury at the trial of this case had included **over 2000 pages on Plaintiff** while Defendant had presented **a total of 5 pages of Darryl Steen and David walker's "Tampered"**

Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

Prior to making certified copies, Please provide the total cost that I need to pay to you to receive certified court copies. The documents that I had asked per Page, I need each page to be certified and the ones that I had asked for entire document to be certified, I just need the document as whole to be certified. Thanks in advance and I greatly appreciate your assistance in this matter.

/s/ Shahla Pourgholam

Sincerely,
Shahla Pourgholam
Pro Se, Appellant
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Appellant Shahla Pourgholam Second Request to receive certified original ROA Trial and additional court records. The panel had dismissed Ms. Pourgholam case and denied Appellant's Motion to Extend Time to file Appellant's Amended Petition for rehearing en banc, and then Appellant received original ROA Trial records and additional court records.

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Plaintiff's EEOC Discrimination Charges Continued on	EEOC Charges of Discrimination based on national origin, retaliation, sexual harassment and Co-worker harassment, hostile work environment, and retaliation for opposing unlawful	SP-1	4 TAB

the next page. Continued from previous page	acts, disparate treatment, and wrongful termination.	SP-1	4 Cont. Tab 4 Cont.
Defendant's Background Check Policy	Plaintiff's Pre-employment and Post-employment background check.	SP-77	5
Minute Entry Courtroom Transcript continued; March 21st – 24th, 2005.	Mary Mullen. She did not investigate Plaintiff's EEOC Discrimination Charges. Ella Dickerson. She did not investigate Plaintiff's EEOC Discrimination Charges.	SP-704 SP-720	6
Minute Entry Courtroom Transcript Continued;	**Ella Dickerson-Own** stated that she was **hired** by Defendant as	SP-712	7 Cont. next Page.

March 21st – 24th, 2005. Continued on the next page. Continued from previous page.	Human Resources **Generalist** and after **two years** she was promoted to Human Resources **Manager**. This is **in contrary** to the information that Defendant had produced **under oath.**	SP-712	TAB 7 Cont. Tab 7 Cont.
Records Produced Under Oath	Defendant had produced a document that shows **Ella Dickerson-Own was hired as HumanResources Manager**. In addition, Plaintiff attorney failed to refer to Ella Dickerson-Own and David Walker as Adverse Witnesses.	SP-489	TAB 7 Cont.

Records Produced Under Oath. Lisa Lewis's email on 07/06/21. Call from Trina Bitch again,	Lisa Lewis's email on 07/06/2001to David Walker, Mary Mullen, Todd Baker, and Darryl Steen. It identifies calls from "Trina Bitch" again. It Identifies Ms.	SP-56	8
Lisa Lewis hand written notes. SP-56, SP-53 and SP-54.	Pourgholam claims of discrimination and how it had affected all aspects of Plaintiff's employment for the **Month of April, May, and June, as a well as July.** It identifies Darryl Steen, once again DJ had worn revealing and exposing outfit.	SP-56	TAB 8 Cont. on the next page.
Lisa Lewis's notes continued on the next page.	It also identifies profane and racist calls that Plaintiff had been receiving	SP-56	Tab 8 Cont.
		SP-56	TAB 8 Cont.

These Records were Produced Under Oath; continued from previous page.	and requires that **ALL** monitor to be presented and **signed by Plaintiff.**	SP-56	TAB 8 Cont.
	Ms. Pourgholam received profane and racist call From "Trina Bitch" again.	SP-54	TAB 8 Cont.
Lisa Lewis's notes continued. .	Lisa Lewis's hand written notes that Plaintiff had opposed unlawful **acts in violation of Tile VII as well as acts in violation of Plaintiff's constitutional rights.**	SP-53	TAB 8 Cont.
Plaintiff as a Supervisor Continued.	**As a Supervisor** Plaintiff was required to present monitors to agents within the **same**	SP-193	9 TAB 9 Cont.

Plaintiff as a Supervisor Continued from previous page.	**day** and **Plaintiff did not** have **the authority** to retape any of agents' calls.	SP-193	TAB 9 Cont.
Records Produced Under Oath.	However, **on July 11th, 2000** Plaintiff was **demoted** from supervisor position even though Plaintiff was rated amongst top three supervisors.	SP-15, SP-197	10
Continued on the next page.	Exactly three days later, **on July 14th, 2000, Plaintiff's Supervisor Position was given to Darryl Steen a white male and a CSR** that had only been with Aegis for **3-4 months was promoted to**	SP-448	Tab 10 Cont.

Records Produced Under Oath, Continued from previous page.	**AT&T CS&S and CPP Supervisor. Darryl Steen was also a** Registered Sex Offender with Two Conviction Felonies of Sexual Assaults. Darryl Steen also was on mandatory Sex Offender Supervision Parole.	SP-448	TAB 10 Cont.
Records Produced Under Oath. Continued.	**As of June 17th, 2001** Ms. Pourgholam had the **highest** Quality Assurance Score on the team.	SP-50	11
Records Produced Under Oath. continued on the next page.	**On June 18th, 2001,** Darryl Steen Placed Ms. Pourgholam on **Final Written Warning** because	SP-199	Cont. on next page.

Records Produced Under Oath. Continued.	Ms. Pourgholam **would not sleep with him.** **Also**, Plaintiff had written a complaint letter for being exposed to DJ's **partially nude** outfit and the fact that Darryl Steen **shared his system ID** with DJ.	SP-71, SP-72, SP-475.	TAB 11 Cont.
Records Produced Under Oath. Continued on the next page.	Defendant and Darryl Steen also were not happy with the fact that Ms. Pourgholam was issuing credit to customers that were charged through AT&T for rude and **unwanted Child and Adult Porn that were popping** up on customer's	SP-242, SP-243.	TAB 11 Cont.
		SP-242, SP-243.	TAB 11 Cont.

Records Produced Under oath. Continued From previous Page.	Customer's Computer through Internet. Defendant had refused to produce a copy of these calls and never been concerned about these customer's complaints of rudeness and quality service.	SP-242, SP-243	Cont. TAB 11 Cont.
	Darryl Steen's conviction Felonies:	SP-479	TAB 11 Cont.
	(1) F80-14083-IL; Steen had oral sex with his own under age daughter, he had **placed his penis in his daughter's mouth** and had oral sex with his daughter.	SP-479	
	(2) F86-70092-LM ; while "Steen" **was on parole for the first sexual**	SP-480 SP-480	TAB 11 Cont.

Produced Under Oath continued from previous page.	**Assault he had** sodomized his stepson. **Darryl Steen's** Terms and Conditions of Parole. (Please Note Restrictions).	SP-480 SP-238, SP-239, SP-240	11 Cont.
Darryl Steen's Deposition on 12/15/2004. Defendant's attorney's denials and lies.	Darryl Steen admitted in retaping Plaintiff's call for September 26th, 2001. Defendant's attorney has refused to admit that Darryl Steen was a Registered Sex Offender.	SP-456 SP-246	12
Minute Entery courtroom Transcript continued;	Joan Rowan. She had admitted to **destroying evidence.**	**SP-733**	**13** TAB 13 Cont.

March 21st-24th, 2005. continued from the previous page. **Obstruction of Justice.**	Joan Rowan admitted that mystery caller system/QA would allow members of management to reach **a specific** agent. Joan Rowan admitted that accessing to this system from **anywhere** that a **phone was available.**	**SP732, SP-733** **SP-732**	TAB 13 Cont.
Minute Entery courtroom Transcript continued; March 21st-24th, 2005. Obstruction of Justice by Defendant	**Plaintiff's Objection.** (1) Defendant lied to the court and the jury that Rhonda Miller's call was the **original tape.** This tape was tampered with. **Either** Defendant's	**SP-728 SP-727**	14 TAB 14 Cont. On the next page.

Minute Entery Courtroom Transcript Continued March 21st-24th, 2005.	Attorneys' **were lying to** the court and the jury and/or **Defendant's witnesses** had lied in their sworn testimonies.	**SP-728, SP-727**	TAB 14 Cont.
Defendant Obstructed Justice; Continued From previous Page.	Defendant willfully and in bad faith withheld taped customer complaints about rude and destructive **Child and Adult Porn. For example Defendant withheld Patricia Edwards Call.**	**SP-242, SP-243 (TAB 11).**	TAB 14 Cont.
	(3) Defendant willfully and in bad faith withheld other Plaintiff's QA tapes and that of other CSRs in the call center.	**SP-106**	TAB 14 Cont.

Minute Entery courtroom Transcript continued; March 21st-24th, 2005.	**Plaintiff's objection.** (1) Defendant produced wrong employee records for Plaintiff	**SP-726** **SP-469** **SP-470**	15
Obstruction of Justice by Defendant	Plaintiff W-2 and records shows information in contrary. (2) Defendant did not produce employee applications of David Walker and Darryl Steen.	**SP-471,** **SP-699**	TAB 15 Cont.
Darryl Steen's Deposition on 12/15/2004.	Darryl Steen admits that Ms. Pourgholam had complained to **Ella**	SP-249	16
Darryl Steen's Deposition on 12/15/2004. **Continued.**	**Dickerson-Own, but the two had made a joke of Plaintiff's complaint.** Darryl Steen	**SP-249** **SP-241**	TAB 16 Cont.

Darryl Steen's Deposition on 12/15/2004. **Darryl Steen's Deposition on 12/15/2004.**	admits that he had told ms. Pourgholam that he would shoot her. **Darryl Steen admits that he had taken Plaintiff for One-on-One sessions in area away from other agents and in an area that no one else was there.**	**SP-241** **SP-244**	TAB 16 Cont. TAB 16 Cont
David Walker's Deposition. Continued on the next page. Records Released Under Oath.	David Walker was Vice President of Prudential Insurance. Plaintiff was admitted to Psychiatric center without any past	SP-507 SP-519 SP-522	17 TAB 17 Cont.

Continued, Records Released Under Oath.	history of **because of her national origin, religion, the fact that she reported hostile work environment and acts in violation of Title VII at Defendant's property.**	SP-519 SP-522	TAB 17 Cont.
	Plaintiff's Time Punch Record, **Darryl Steen had signed off Plaintiff on Sunday 06/03/2001, at 8:30 pm night** and had **never returned Plaintiff back to the phones.**	**SP-474**	TAB 17 Cont.
Continued on the next page.			TAB 17 Cont

Records Released Under Oath; Continued on the next page.	**Plaintiff went to Defendant's insurance doctor on 06/05/2001. However, Defendant's insurance doctor:**	**SP-514**	TAB 17 Cont.
Records Released Under Oath.	**(1)** This doctor had dated the day of visit as **"2007".** (2) Plaintiff had paid this doctor with **Aegis Insurance** card, but the doctor had misrecorded that Plaintiff's employer at the time as **SBC.**	**SP-514**	TAB 17 Cont.
	Defendant's insurance doctor had misdiagnosed two other patients that led to their deaths. This doctor mistaken **sinus head ach for brain tumor.**	**SP-517**	TAB 17 Cont.

Records Released Under Oath; Continued on the next page.	Defendant's other direct or indirect doctor did not renew his license because he thought he did not have to and had been sued for malpractice.	**SP-512**	TAB 17 Cont.
Records Released Under Oath.	Plaintiff also was called delusional for stating that her **former boss had threatened to shoot her and he was a Registered Sex Offender.**	**SP-512** **SP-509** **SP-509**	TAB 17 Cont.